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ORIGINAL

U.S. DEPARTMENT OF TRANSPORTATION  
DOCKET SECTION

99 SEP 29 AM 11:38

RE: Protection of Voluntarily Submitted Information  
(Additional Information to September 23, 1999 letter)

ACTION REQUESTED: Reject the proposal

September 24, 1999 A.D.

Marisa Mullen, Office of Rulemaking, ARM-205, Mardi Thompson,  
Office of Assistant Chief Counsel, AGC-200, et al and  
To Whom It May Concern,

I realized, after submitting my previous letter on September 23, 1999, that I failed to point out the human issues of the situations... current and proposed.

Today, based on the April 21, 1987 U.S. Supreme Court decision, allowing the death penalty for major participants in deadly crimes (see articles submitted on September 23, 1999) and the July 14, 1999 indictment by a Federal Grand Jury, of SabreTech, Inc., two maintenance workers and one company vice-president, now face the death penalty.

This is an extremely important turning point in our society as a whole. Previous to the above actions, most people would go along with the boss. They want to keep their jobs, at the expense of the public welfare, and will do whatever the boss says. This meant, in the past, that crimes against the people could occur, if the boss sanctioned it. It is still going on today, because most people haven't been personally affected by the rulings, yet.

Now, the worker is faced with: "does he/she lose their jobs or their life for their actions"? Most people would prefer to live, and be free. Therefore, the above rulings have placed the worker in the unique position of critically analyzing what is asked of him/her, before taking actions that involve safety and the security of others. This is probably one of the best types of "surveillance" that the government could ask for!

It is true, that most management personnel do little of the manual labor that affects the public. By putting incentives into the lives of the workers, to prevent the abuse of safety and security, on the "front lines", where it belongs, it should be a simple thing for management to also keep in line with safety and security measures regarding the public. Everyone's job becomes easier and by keeping The Freedom of Information Act

in full force and effect, it is an insurance policy for those who are under pressure to document publicly, their opposition to any security and safety breeches they are aware of.

Please do not hide the names and identifying factors of problems in the industry. This country needs leaders who are willing to stand up, acknowledge the problem, why it could be solved, and how it is being corrected. We do not need those "leaders" who will talk, only if no-one knows that they are speaking.

In addition, we need to enact laws that will give companies and individuals legal immunity in lawsuits, (similar to the immunity extended to judges) for workers gutsy enough to tell the truth about potential problems. There is a dire need to weed out the incompetent, who floated into management, based on "who they knew, rather than what they knew". If the top leader hasn't done the work, then how can they possibly see the problems and how to correct them? All the management skills in the world won't help you, if the information handed up the ladder is bad.

For example: At one meeting on snow removal, the "incompetent" operations manager was asked by the director - 'how long does it take to clear runway XYZ?' The incompetent manager says, "15 minutes to a half-hour". The director said that we will increase the equipment and decrease the time on the runway, allowing it to open sooner.....the facts are: in a nighttime snow removal operation, after midnight, (time with the least amount of traffic interference and the longest available uninterrupted time on runway XYZ), the cleaning and preparing of the runway, in its shortest proven time, is 30 minutes.

It does not account for the fact that another snow may come and cause the process to continue all over again, without even opening the runway, it does not account for weather, mechanical problems with the equipment, (sheared pins, stuck in the mud, frozen sand or equipment, etc.), it does not account for the added time needed to blow snow ridges along the intersecting runways and the plowing and ridge removal of connecting taxiways. It takes 30 minutes of well organized, ready equipment just to clean the basics of runway XYZ for opening.

It is the skill of the agent in charge to notify, in advance, when the runway is expected for opening and the condition that it will be in, taking into account the weather.

I, personally, have a problem, in turning this responsibility over to a pilot who is flying in the air, who hasn't seen the runway, to determine if it is safe enough for landing. Anybody can stay open all the time, relying on the previous report of a landing aircraft to be relayed to another approaching aircraft, holding many families on board, so the pilot can 'guess' on the type of pavement that the wheels will touch down on. This is very, very bad business. If the agents in charge are unable

or unwilling to get up and monitor an airfield in times of inclement weather, they should be quickly removed from duty.

The above example is true. The situations could occur anywhere. Management is only as good as the worker, and the worker is only as good as the management allows them to be. Therefore, it is a prudent thing to give the worker a voice, that they can identify with. It is the only insurance that the worker has, and it could actually be used to defend the worker, if management, against safety or security advice, forces the worker into a non-safe or non-secure position.

While holding my position on the airfield, I contacted various insurance agencies to see if I could obtain a liability policy for my own protection, in the event that an accident would occur that involved myself, following unsafe orders. There was no-one who would insure me. One company did refer me to Lloyds of London, whom I called. They would not cover me, as my employer would have to be responsible for my coverage. My employer felt that we were immune from prosecution. I felt very unsafe then, and today, given the above court ruling, that thought process may not even be correct.

Sincerely,

A handwritten signature in cursive script, reading "Christina M. Guk". The signature is written in dark ink and is positioned above the typed name and address.

Christina Guk  
1609 Marks Road  
Valley City, Ohio 44280  
330-220-8259

P.S. Increased snow removal equipment on the runway, can actually hamper a snow operation, and bring down the time it takes to open to traffic. The agent in charge determines they type and amount of equipment, based on their drivers ability and experience to remove the snow, etc.